

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

VARISCITE NY ONE, INC.,

Plaintiff,

NOTICE OF MOTION

-against-

22-CV-1013

STATE OF NEW YORK; NEW YORK STATE OFFICE
OF CANNABIS MANAGEMENT; AND CHRISTOPHER
ALEXANDER,

GLS/DJS

Defendants.

PLEASE TAKE NOTICE that upon the Supplemental Declaration of Herb Barbot; the accompanying memorandum of law; and upon all prior proceedings, Defendants, State of New York, New York State Office of Cannabis Management, and Christopher Alexander, on a date and time to be scheduled upon filing by the Clerk of Court, or as soon thereafter as counsel can be heard, will make a motion at the United States District Court, Northern District of New York, Albany, New York, pursuant to Rules 59(e) and 62(d) of the Federal Rules of Civil Procedure, for an order: 1) granting Defendants' motion to modify the Court's November 10, 2022 Preliminary Injunction Decision and Order; 2) in the alternative, granting Defendants' motion for a stay pending appeal, together with such other or further relief as may be just.

Dated: Albany, New York
November 22, 2022

LETITIA JAMES
Attorney General of the State of New York
Attorney for Defendants State of New York,
New York State Office of Cannabis
Management, and Christopher Alexander
The Capitol
Albany, New York 12224

By: s/ Amanda Kuryluk
Amanda Kuryluk
Assistant Attorney General, of Counsel
Bar Roll No. 516864
Telephone: (518) 776-2621
Fax:: (518) 915-7740 (Not for service of papers)
Email: amanda.kuryluk@ag.ny.gov

To: Thomas J. Higgs, Esq.
Via ECF

Christian E. Kernkamp, Esq.
Via ECF